

**MINUTES OF THE REGULAR MEETING  
OF THE PLANNING BOARD  
HELD IN THE TRUSTEES' ROOM, VILLAGE HALL  
ON WEDNESDAY, APRIL 9, 1997**

**Members**

**Present:** Patrick J. Gilmartin, Chairman  
Robert Buford  
William Hoffman, Secretary  
Peter Lilienfield  
Allen Morris

**Also Present:** Kevin J. Plunkett, Village Counsel  
Ralph Mastromonaco, Bruce Donohue, & Tim  
Miller,

Consultants to the Planning Board  
Brenda Livingston, Ad Hoc Planning Board  
Member

Eugene Hughey, Building Inspector  
Florence Costello, Planning Board Clerk  
Jan Blaire, E.C.B. Member  
Joseph S. Jacoby, J&L Reporting Service,  
for Westwood

Development Associates  
Cynthia Sullivan, Sullivan Recording, for  
Abbott House  
Applicants and other persons mentioned in  
these Minutes  
Members of the Public.

**IPB Matters**

**Considered:** 94-03 -- Westwood Development  
Associates, Inc.

Sht. 10,10C,11,Lots  
25K,25J2,25K2,25A,26A

**Subdivision** 96-29 -- Renato Rancic -- Lot #1, Dedyo

Sht. 13B, Lot 1 of P9B  
96-36 -- O'Hara/Hickey

Sht. 15, P121, P121F

97-02 -- Abbott House

Sht. 10, P-21

97-06 -- Affordable Housing Development  
Corp. & Village  
of Irvington

Sht. 4, Bl. 204, Lot 1  
**97-07 -- Paul Walker**  
Sht. 5, Bl. 212, Lot 9, 10

The Chairman called the meeting to order at 8:00 p.m.

The Chairman introduced Mr. Allen Morris, Planning Board member replacing Mr. William Bush. The Chairman thanked Mr. Bush for his past valuable contributions.

**IPB Matter #96-36:**  
**O'Hara & Katherine**

**Layout Approval**

**East.**

**Application of Walter T.**  
**O'Hara Hickey for Preliminary**  
**for property at One Hudson Road**

Gerald D. Reilly, Esq., appeared for the Applicant. The Board granted conditional approval of the preliminary layout shown on the drawing prepared by Charles Reilly, Land Surveyor, dated January 22, 1997, revised February 7, 1997 captioned "Preliminary Subdivision Map prepared for Walter O'Hara, Jr. & Katherine O'Hara Hickey". A copy of the Resolution granting such approval is annexed to these Minutes. The Board Scheduled the public hearing on Applicant's application for final subdivision approval for final site approval for May 7, 1997.

**IPB Matter #97-07:**  
**for Waiver of Site**

**property at**

**Application of Paul Walker**  
**Development Plan Approval for**  
**12 South Ferris Street.**

Earl Ferguson, Architect, appeared for the Application. Applicant paid a fee of \$50.00 for an Application for Waiver of Site Development Plan Approval and furnished evidence of mailing of required Notice to Affected Property Owners. The proposed development consists of a two story addition on the north side of the existing two and one half story residence and a one story porch along the west side of the existing house. The

project will add a total of about 500 square feet to the floor area on a total of two floors, a total of about 4,120 cubic feet to the existing building. The project, when completed, will increase the footprint of the present building by about 260 square feet. Mr. Ferguson noted for the Board that a variance granted October 24, 1995 had expired.

The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval. There were no comments from the public. The Board found the actions to be Type II for SEQRA purposes.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

**WHEREAS**, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed alteration and addition meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist to make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, and depending on the action taken by the Zoning Board of Appeals as hereinafter proved, the Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application subject to approval by the Zoning Board of Appeals of any variance required in connection with the Application.

**IPB Matter #97-06:**  
**Housing Development**

**Special Permit**

**building at**

**Application of Affordable  
Corp. & Village of Irvington for  
to convert former Lord & Burnham  
2 Main Street.**

Stephen Tilly, Architect, appeared on behalf of the Application. The Board of Trustees had referred to the Planning Board for review and recommendations an application made by the Village of Irvington and the Affordable Housing Development Corporation to the Village Board for the issuance of a special use permit to convert the former Lord & Burnham Building into affordable rental housing and a village library. Proposed renovation would provide 22 affordable rental apartment units, ranging from studios to 2 bedroom units, and to provide space for a new Village Library and new multi-purpose room accommodating up to 70 persons.

The Chairman asked the members of the Board for comment on the proposal, after pointing out that the referral from the Board of Trustees was limited to external aspects of the proposed development of the Lord & Burnham Building, e.g., parking and traffic, and did not extend to internal aspects or to the issue of the definition of "affordable". Because the project will be financed through his employer, Chase Manhattan, Mr. Lilienfield recused himself from the discussion. The Board's concerns and comments were primarily about parking: 1) Where will the 25 DPW vehicles currently using the space be parked? If on the public street, that would not be acceptable. 2) The system for tenant parking identification should be defined. 3) What method will be used to insure that only library users park in the library parking spots?

The Chairman agreed to write to the Village Board identifying these concerns.

**IPB Matter #97-02:**  
**for Renewal of**

**Application of Abbott House**

### **Special Permit.**

Marianne L. Sussman, General Counsel for Abbott House appeared on behalf of the Applicant.

On motion duly made, seconded and unanimously approved, the Board approved a Resolution granting Special Permit renewal for five years, through March 31, 2002. (copy of Resolution attached). The Chairman noted receipt of a letter dated April 7, 1997 from Mr. David Kaplan, who was present. Because the letter indicated that Mr. Kaplan felt that he did not get a fair hearing, the Chairman offered Mr. Kaplan the opportunity to address the Board again. Mr. Kaplan declined, saying that he would let the letter speak for him. The Chairman stated that he did not believe the letter accurately reflects the record in this matter. Ms. Karen Schatzel was identified as the Abbott House person as primary contact for the community liaison committee.

A complete transcript of the proceedings was prepared and is incorporated by reference.

#### **IPB Matter #96-29:** **for Site**

#### **Application of Renato Rancic**

#### **1, Dedyo**

#### **Development Plan Approval for Lot**

#### **Subdivision, Park Road.**

David Steinmetz, Esq., appeared for the Applicant. The Board adopted: "Resolution Granting Final Site Development Plan Approval for Lot 1 in the Dedyo Subdivision", with notations, and drawings prepared by John Meyer Consulting, "Site Plan (Lot #1) Rancic Property dated 1/24/97 revised 2/5/97 and 3/11/97", "Utility Plan (Lot #1), dated 1/24/97, revised 2/5/97 and 3/11/97, and "Construction Details (Lot #1) dated 1/24/97, revised 3/7/97 and 3/11/97. A copy of said Resolution is annexed to these Minutes.

Mrs. Dorothy Mahon of Harriman Road expressed concern about the blasting plan. The Chairman explained that the blasting plan will be defined when the rocks are exposed, a licensed blaster will be used and Mr. Hughey will ensure that the blasting is in accordance with all regulations.

**Ministerial:**

David Steinmetz, Esq., noted Irvington Associates, Legend Hollow Subdivision, will submit Site Development Plan Approval Application for Lot #30 for review and public hearing at the May 7, 1997 Planning Board meeting.

**IPB Matter #94-03:**

**Application of Westwood**

**Development**

**Associates, Inc., for Limited**

**Site**

**Development Plan Approval for**

**property at**

**Broadway, Riverview Road and**

**Mountain Road.**

Mr. Padraic Steinschneider appeared on behalf of the Application and made a general presentation of the proposal. The Chairman stated that this was not a public hearing but meeting to assist the Board in understanding the details of the proposal as the Board reviews the DEIS submitted, to determine if it is adequate and complete enough to be made the subject of the public hearing. All consultants to the Planning Board, Tim Miller, Bruce Donohue and Ralph Mastromonaco, were present. Several issues were discussed:

- The Planning Board would like to have the School Board's counsel provide formal input on the Tract A access question. No members of the School Board were in attendance.
- Additional parking may be needed for access to the proposed park land. Some is shown on Tract C, but that may be insufficient.
- More definition is needed on the four accessory living units. What is the need and design? However Mr. Steinschneider said that the accessory units would be dropped from the proposal.
- Clear definition is needed of proposed sidewalks and public walking paths. Width? Easements?
- All water detention basins must be identified. Will storm drains be maintained by the Homeowners Association?
- Definition is needed of which lots can have pools or tennis courts.

- The size and design of each home should be defined by lot.
- Does each lot have the site capacity of at least one? If not, can remedial legislation over-ride the code? Mr. Plunkett will study.
- Off site traffic studies are requested. This would include the Saw Mill intersection at Ashford Avenue and Fieldpoint Road if the Link Road option is used.
- Easements through Fieldpoint for walking must be identified.
- Easements for the sewer line through the High School's property must be identified.
- A limited site development plan for lots 4-7 (border High School) was requested.
- An 18 foot minimum carriage way is required for all roads.

Joel Sachs, Esq., lawyer for the Fieldpoint Community Association, raised four issues: 1) The cumulative impact of this project and other proposals on environmental issues. 2) Concern about drainage onto Fieldpoint property. 3) Continuing concern about the four accessory living units. 4) Traffic estimates should include the utilization of Link Road to drop off students.

Mr. Edward Tishelman, North Broadway, expressed concern about a private road on Tract A. The current road is collapsing into the ravine and its use by heavy construction equipment could make matters worse. Mr. Chris Lombiazzi (sp) and Andrew Abrams expressed concern about increased traffic on Mountain Road (to the Saw Mill), Taxter Road and East Sunnyside Lane. Mr. David Saffron, Divney Lane, expressed concern that cars parked on Mountain Road (blind curve) would be further exposed if traffic increases.

A site walk for the Planning Board was scheduled for April 12.

A complete transcript of the proceedings was prepared and is incorporated by reference.

The Board then considered the following administrative matters:

- . Planning Board Site Development Plan Approval  
Application forms distributed at the February 5, 1997  
meeting were approved.
- Minutes of the Planning Board held on February 5, 1997,  
previously distributed, with changes by the Chairman,  
were on motion duly made and seconded, approved.
- The next regular meeting of the Planning Board was  
scheduled for May 7, 1997.

There being no further business, the meeting was  
adjourned.

Respectfully submitted,

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William Hoffman,

Secretary